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MAA, SHA	LONG		VAN HANDEL, MICHAEL P		
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DALLAS, TX 75360-0118				ART UNIT	PAPER NUMBER
-				2617	

DATE MAILED: 06/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)					
	09/919,187	MAA, SHALONG					
Office Action Summary	Examiner	Art Unit					
	Michael Van Handel	2616					
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply							
A SHORTENED STATUTORY PERIOD FOR REPL THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1. after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a rep If NO period for reply is specified above, the maximum statutory period Failure to reply within the set or extended period for reply will, by statut Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	136(a). In no event, however, may a reply be timely within the statutory minimum of thirty (30) days will apply and will expire SIX (6) MONTHS from e, cause the application to become ABANDONE	nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).					
Status	•						
1) Responsive to communication(s) filed on	Responsive to communication(s) filed on						
2a) This action is <b>FINAL</b> . 2b) ⊠ This	s action is non-final.						
, , , , , , , , , , , , , , , , , , , ,	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims							
4) ⊠ Claim(s) <u>13-32</u> is/are pending in the application 4a) Of the above claim(s) is/are withdrates 5) □ Claim(s) is/are allowed.  6) ⊠ Claim(s) <u>13-32</u> is/are rejected.  7) □ Claim(s) is/are objected to.  8) □ Claim(s) are subject to restriction and/or	wn from consideration.						
Application Papers							
9) The specification is objected to by the Examiner.							
10)⊠ The drawing(s) filed on <u>30 July 2001</u> is/are: a)□ accepted or b)⊠ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).							
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.							
Priority under 35 U.S.C. § 119							
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of:  1. Certified copies of the priority documen  2. Certified copies of the priority documen  3. Copies of the certified copies of the priority documen application from the International Burea  * See the attached detailed Office action for a list	ts have been received. ts have been received in Applicationity documents have been received in (PCT Rule 17.2(a)).	on No ed in this National Stage					
Attachment(s)							
1) Notice of References Cited (PTO-892)	4) Interview Summary						
<ul> <li>2) Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08 Paper No(s)/Mail Date</li> </ul>	Paper No(s)/Mail Da ) 5) Notice of Informal P 6) Other:	atent Application (PTO-152)					

#### **DETAILED ACTION**

### Specification

1. The disclosure is objected to because of the following informalities:

Reference numbers 602 and 603 of Fig. 4 are not described in the specification.

Reference number 208a of Fig. 5 is not described in the specification.

Reference numbers 260c and 270c of Fig. 6 are not described in the specification.

Reference number 214s of Fig. 5 is not described in the specification.

Reference number 200a of Fig. 5 is not described in the specification.

Appropriate correction is required.

#### **Drawings**

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the buy button of claim 16 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an

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application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claim 16 is rejected under 35 U.S.C. 112, first paragraph, as based on a disclosure, which is not enabling. A description of the buy button and online identity-authentication and purchasing application is critical or essential to the practice of the invention, but is not enabled by the disclosure. See *In re Mayhew*, 527 F.2d 1229, 188 USPQ 356 (CCPA 1976).

In the claim rejections below, the examiner assumes that the necessary changes will be made and addresses claim 16 solely on his interpretation of the claim language.

### Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 6. Claims 13-15, 18-20, 24-26, 28, 30-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Kelly et al.

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Referring to claim 13, Kelly et al. discloses a remote control 10 (handheld remote control device) that controls personal computing device 20 (col. 4, l. 56-61)(col. 5, l. 26-35)(Fig. 4)(Fig. 5). The personal computing device 20 has a network connection or other means of on-line access to the Internet and other such networks 60 (Internet-enabled client computer)(col. 4, l. 61-63)(Fig. 4). The viewer bookmarks particular broadcast events and transfers the bookmarked events to a database 40. Database 40 generates a custom list of data for the user, which indicates bookmarks associated with the broadcast event. The list of data takes the form of a World Wide Web page on the Internet and is viewed with a generic www browser (Internet-enabled computer executing a web browser application, said web browser including a conventional bookmark function for organizing the listing of and for linking to a user's favorite web pages)(col. 2, l. 37-67 and col. 3, l. 1-28)(Figs. 1, 4). Remote control 10 comprises basic components as in conventional remote controls and thus provides the traditional operations of other conventional remote controls together with event marking button 15 (handheld remote control comprising:

- a casing having an exterior surface (inherent to remote control);
- a user input assembly disposed on the exterior surface of said casing (inherent to remote control)
- a transmitter circuitry situated within said casing and coupled to said user input assembly for generating and transmitting to a selected device of the multimedia system electromagnetic command signals representative of and in response to the respective user operations of said user input assembly of the remote control device (inherent to remote control)

- said user input assembly including a bookmark key for causing said web browser to a add a bookmark linking to a web content identified by a URL to the bookmark listing of the browser in response to the user operating said bookmark key(col. 2, l. 37-59, 66-67 and col. 3, l. 1-28)(Figs. 1, 4))(col. 5, l. 13-18)(Fig. 5).

Referring to claim 14, Kelly et al. discloses that remote control 10 further controls a TV 32 (col. 5, l. 27-30)(Figs. 4, 5) and that broadcast events can be bookmarked by a viewer. When the viewer is ready to browse the websites associated with the selected broadcast events, personal computing device 20 transmits activity table 204 via on-line service 60 to a central database 40. Database 40 then generates a custom list of data for the user, which indicates bookmarks associated with the broadcast event, in the form of a World Wide Web page on the Internet (multimedia system further comprises a TV set and where the web content identified by URL is associated with a current TV program displayed on the TV set)(col. 3, l. 4-28)(Figs. 1, 4).

Referring to claim 15, Kelly et al. discloses that remote control 10 further controls a TV 32 (col. 5, l. 27-30)(Figs. 4, 5) and that remote control 10 comprises similar basic components as in conventional remote controls and thus also provides the traditional operations of other conventional remote controls (multimedia media system further comprises a TV set and where the user input assembly of the remote control device further comprises TV-control buttons for providing conventional TV-remote-control operations)(col. 5, l. 14-17)(Fig. 5).

Referring to claim 18, Kelly et al. discloses a system for bookmarking viewer selected TV broadcast events and displaying a set of associated Internet locations or website hotlinks

(method of providing interactive content through a multimedia computer executing a web browser application), comprising:

- pressing a bookmark button 15 on remote control 12 to bookmark a particular broadcast event (receiving an electromagnetic bookmark signal transmitted from a handheld remote control device in response to a ser pressing a bookmark button of the remote control device) (col. 2, l. 54-59)
- enerating a custom list of data for the user which indicates bookmarks associated with the broadcast event on a World Wide Web page, which the viewer can view with a www browser (adding a bookmark linking to a web content identified by a URL to a web browser's bookmark listing) (col. 3, 1, 23-28)

Referring to claim 19, Kelly et al. discloses a custom list of data for the user in the form of a World Wide Web page on the Internet that indicates bookmarks associated with a broadcast event (web content is associated with the content of a TV program) (col. 3, 1, 24-27).

Referring to claim 20, Kelly et al. discloses a custom list of data for the user in the form of a World Wide Web page on the Internet that indicates bookmarks associated with a broadcast event (web content includes at least one web page for providing information relating to a TV program) (col. 3, 1, 24-27).

Referring to claim 24, Kelly et al. discloses a remote control 10 (handheld remote control device) that controls personal computing device 20 (col. 4, l. 56-61)(col. 5, l. 26-35)(Fig. 4)(Fig. 5) and a TV 32 (col. 5, l. 27-30)(Figs. 4, 5). The personal computing device 20 has a network connection or other means of on-line access to the Internet and other such networks 60 (col. 4, l. 61-63)(Fig. 4). The viewer bookmarks particular broadcast events and transfers the bookmarked

events to a database 40. Database 40 generates a custom list of data for the user, which indicates bookmarks associated with the broadcast event. The list of data takes the form of a World Wide Web page on the Internet and is viewed with a generic www browser (interactive home entertainment system including a conventional home TV set, and Internet-enabled computer executing a web browser application, and a handheld remote control device for control of the entertainment system by a user)(computer-implemented method for providing interactive TV content associated with a current TV program displayed on a TV set, the method comprising the steps of:

- receiving an electromagnetic user-command signal transmitted from and representative of user operation of a remote control device
- requesting a web content associated with the TV program
- receiving the web content associated with the current TV program)(col. 2, l. 37-67 and col. 3, l. 1-28)(Figs. 1, 4).

Referring to claim 25, Kelly et al. discloses a custom list of data for the user which indicates bookmarks associated with the broadcast event on a World Wide Web page, which the viewer can view with a www browser (step of receiving the web content data transmitted from a web site) (col. 3, 1. 23-28).

Referring to claim 26, Kelly et al. discloses a custom list of data for the user in the form of a World Wide Web page on the Internet, which the viewer can view with a www browser, that indicates bookmarks associated with a broadcast event (web content includes at least one web page for providing information relating to a TV program, and where the step of receiving web

content further comprises the step of displaying the "at least one web page" on a web browser) (col. 3, 1. 24-27).

Referring to claim 28, Kelly et al. discloses a personal computing device 20 that transmits an activity table 204 comprising AR entries via on-line service 60 to a central database 40. AT 204 is used to determine which data in database 40 should be retrieved and presented to the viewer. Database 40 then generates a custom list of data for the user, which indicates bookmarks associated with the broadcast event in the form of a World Wide Web page on the Internet. The viewer can view these with a www browser (step of sending a request, via the Internet, to a Web site for requesting from the web site the web content associated with the current TV program)(col. 3, 1. 4-28)(Figs. 1, 4).

Referring to claim 30, Kelly et al. discloses select button 15 on remote control 12. When the viewer presses select button 15, an AR entry is stored in the AT 204. When the viewer has finished selecting broadcast events, AT 204 is stored into a network access device 21 in personal computing device 20. When the viewer is ready to browse the websites associated with the bookmarked events, personal computing device 20 transmits AT 204 via on-line service 60 to central database 40. Database 40 generates a custom list of data for the user which indicates bookmarks associated with the event in the form of a World Wide Web Page, which can then be viewed with a www browser (user operation comprises pressing a bookmark button of the remote control device by the user; wherein the user-command signal comprises a bookmark signal associated with the bookmark button and transmitted from the remote control device; the method for providing interactive TV content further comprising the step of adding a bookmark

linking to said web content identified by a URL to said web browser's bookmark listing)(col. 2, l. 55-59, 66-67 and col. 3, l. 1-28)(Fig. 1).

Referring to claim 31, Kelly et al. discloses a remote control 12, 10 that comprises similar basic components and functions as in conventional remote controls, and thus provides traditional operations (user operation comprises pressing a TV channel selection button of the remote control device by the user, and the user-command signal comprises a TV channel selection signal associated with the TV channel selection button and transmitted from the remote control device)(col. 3, 1. 59-64 and col. 5, 1. 14-18, 1. 27-30)(Figs. 3, 4, 5).

Referring to claim 32, Kelly et al. discloses a remote control 12, 10 that comprises similar basic components and functions as in conventional remote controls, and thus provides traditional operations (user operation comprises pressing a TV power-on button of the remote control device by the user, and the user-command signal comprises a TV power-on signal associated with the TV power-on button)(col. 3, l. 59-64 and col. 5, l. 14-18, l. 27-30)(Figs. 3, 4, 5).

## Claim Rejections - 35 USC § 103

- 8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 9. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly et al. in view of Yuen.

Referring to claim 16, Kelly et al. discloses a remote control 10 that controls a personal computing device 20 and a TV 32 (Fig. 4). Kelly et al. does not disclose that the user input

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assembly of the handheld remote device comprises a buy button for activating an online identity-authentication and purchasing application of the Internet-enabled computer. Yuen discloses a system for communicating information from a television viewer to a central site. The system includes a Remote Control Unit 24 with a BUY button 28 (Fig. 1). If the viewer decides to purchase a product, at step 306 they press the BUY button (Fig. 6). At step 308, the Remote Control Unit 24 sends a signal that includes a unique code for the BUY button to a microprocessor 204. At step 310, the Microprocessor 204 combines the received BUY command with identification information of the viewer. At step 314, the command information is transferred to the Central Site. At step 316, the Central Site processes the BUY command and sends a confirmation message (col. 12, l. 14-54). It would have been obvious to anyone of ordinary skill in the art at the time that the invention was made to modify Kelly et al. to include a buy button on remote control 10 and to include an online identity-authentication and purchasing application activated by the buy button of remote control 10 such as that taught by Yuen in order to allow the viewer to easily order products advertised on television.

10. Claims 17, 22, 23, 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly et al. in view of Palmer et al.

Referring to claim 17, Kelly et al. discloses a remote control 10 that controls a personal computing device 20 and a TV 32 (Fig. 4) and a list of data for the user which indicates bookmarks associated with a broadcast event in the form of a World Wide Web page on the Internet that is viewed by the viewer with a www browser (web content to be received by the web browser is provided by a web site)(col. 3, 1. 23-28). Kelly et al. does not disclose that the web content is associated with a predetermined segment of a TV program. Kelly et al. also does

not disclose that the transmission of the web content from the web site to the web browser is in synchronization with the broadcasting of a predetermined segment of TV program. Palmer et al. discloses a method and apparatus for connecting a computer to electronic addresses in sync with an audio/video broadcast (col. 5, 1. 22-34). The radio and television stations provide a central office 70 with a schedule of programming and the associated URL's. In accordance with those schedules, the central office sends page requests via Internet at predetermined times (col. 5, 1. 45-50). It would have been obvious to anyone of ordinary skill in the art at the time that the invention was made to modify Kelly et al. to include URL messages that are associated with television programming at a predetermined time and sent in sync with one another to the user's television 82 and computer 40 in order to allow the synchronous display of Internet content that is associated with broadcasting content.

Referring to claim 22, Kelly et al. discloses a system for bookmarking viewer selected TV broadcast events and displaying a set of associated Internet locations or website hotlinks (receiving, through the Internet, the web content from a web site). Kelly et al. does not disclose that the web content being transmitted from the web site to the computer is transmitted in synchronization with the broadcasting of a TV program. Palmer et al. discloses a method and apparatus for connecting a computer to electronic addresses in sync with an audio/video broadcast. The radio and television stations provide a central office 70 with a schedule of programming and the associated URL's. In accordance with those schedules, the central office sends page requests via Internet at predetermined times (col. 5, l. 45-50). It would have been obvious to anyone of ordinary skill in art at the time that the invention was made to modify Kelly et al. to include URL messages that are associated with television programming at a

predetermined time and sent in sync with one another to the user's television 82 and computer 40 in order to allow the synchronous display of Internet content that is associated with broadcasting content.

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Referring to claim 23, Kelly et al. discloses generating a custom list of data for the user which indicates bookmarks associated with the broadcast event on a World Wide Web page, which the viewer can view with a www browser (step of receiving the web content data transmitted from the web site and displaying the web content on the web browser) (col. 3, 1. 23-28).

Referring to claim 29, Kelly et al. discloses a personal computing device 20 that transmits an activity table 204 comprising AR entries via on-line service 60 to a central database 40, which then generates a custom list of data for the user, which indicates bookmarks associated with the broadcast event in the form of a World Wide Web page on the Internet. Kelly et al. does not disclose the step of retrieving the URL associated with the web content prior to the step of sending the request. Palmer et al. discloses a general computer 40 with a program that continuously monitors and/or polls receiver 30 to determine whether any pages have been received. When a page has been detected as received, the program tests the page to determine whether it includes a valid URL. If the message is a valid URL, the program stores the URL in memory. The processor 44 then causes modem 50 to connect computer 40 with an Internet Service Provider 60. The program sends the stored URL to Internet Service Provider 60 which allows computer 40 to receive information from and interact with the website associated with the URL (col. 4, 1. 59-67 and col. 5, 1. 1-9)(Fig. 1). It would have been obvious to modify Kelly et al. to include a system of sending URLs to personal computing device 20 in advance of

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accessing a web site such as that taught by Palmer et al. in order to decrease the processing time of a web site access request.

11. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly et al. in view of Kikinis.

Referring to claim 21, Kelly et al. discloses a system for bookmarking viewer selected TV broadcast events and displaying a set of associated Internet locations or website hotlinks. Kelly et al. does not disclose that the web content includes a stream of actuation-control data for controlling body part movement of an Internet-enabled talking doll coupled to and controlled by a multimedia computer. Kikinis discloses an interactive doll system 11 comprising a doll 13 adapted for bi-directional communication with a PC 15 (col. 5, l. 17-19)(Fig. 1). By way of peripheral connection, doll 13 acquires all of the computing and data power of the host. The host has an appropriate telephone modem and Internet operative software, giving the doll access to data and routines available on the Internet (col. 5, l. 32-34)(col. 7, l. 19-24)(col. 9, l. 20-25). The doll has controllable moving body parts and speech functions (col. 5, 1, 56-67 and col. 6, 1, 1-11)(Fig. 1). It would have been obvious to anyone of ordinary skill in the art at the time that the invention was made to modify Kelly et al. to include web content including control routines and data for body part movement and speech functions of a doll 13 coupled to personal computing device 20 such as that taught by Kikinis in order to portray broadcasting related content interactively through a computer controlled doll.

12. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly et al. in view of Kikinis and further in view of Palmer et al.

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Referring to claim 27, Kelly et al. discloses a system for bookmarking viewer selected TV broadcast events and displaying a set of associated Internet locations or website hotlinks. Kelly et al. does not disclose Web content that includes a stream of actuation-control data provided by a web site for controlling body part movement of an Internet-enabled talking doll coupled to and controlled by a computer, the stream of actuation-control data being transmitted from the web site to the computer in synchronization with the broadcasting of a TV program. Kikinis discloses an interactive doll system 11 comprising a doll 13 adapted for bi-directional communication with a PC 15 (col. 5, l. 17-19)(Fig. 1). By way of peripheral connection, doll 13 acquires all of the computing and data power of the host. The host has an appropriate telephone modem and Internet operative software, giving the doll access to data and routines available on the Internet (col. 5, l. 32-34)(col. 7, l. 19-24)(col. 9, l. 20-25). The doll has controllable moving body parts and speech functions (col. 5, l. 56-67 and col. 6, l. 1-11)(Fig. 1). Kelly et al. modified with Kikinis does not teach that the stream of actuation-control data being transmitted from the web site to the computer be in synchronization with the broadcasting of a TV program. Palmer et al. discloses a method and apparatus for connecting a computer to electronic addresses in sync with an audio/video broadcast (col. 5, l. 22-34). It would have been obvious to anyone of ordinary skill in the art at the time that the invention was made to modify Kelly et al. to include an interactive doll system 11 such as that taught by Kikinis and to further modify Kelly et al. and Kikinis to include a method and apparatus for connecting a computer to electronic addresses in sync with an audio/video broadcast such as that taught by Palmer et al. in order to portray broadcasting related content interactively through a computer controlled doll in sync with television programming.

#### Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gardell et al. discloses a system that allows users to receive network information using a variety of different devices. The system includes examples of web browsers on both set-top boxes and computer clients.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Van Handel whose telephone number is 571.272.5968. The examiner can normally be reached on Monday-Friday, 8:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Chris Kelley can be reached on 571.272.7331. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Van Handel Examiner

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